

REMARKS

This responds to the Notice of Non-Compliant Amendment dated May 5, 2010.

I. Summary of Claim Status: Claims 1-30 have been canceled without prejudice; Claims 31-53, 55, 60 and 62-67 remain in this case.

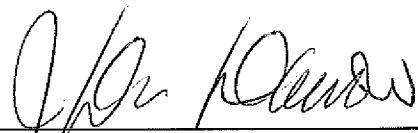
II. The Listing of Claims beginning on page 2 herein is intended to replace the Listing of Claims in applicant's prior amendment filed on April 13, 2010. The present listing of Claims is believed to overcome the objections in the Notice of Non-Compliant Amendment dated May 5, 2010, and specifically to include reference to Claims 1-30 with the identifier "Canceled" and correction of antecedent basis in Claim 44..

The above- reference Notice was discussed by phone with Ms. Margaret Byars (LIE), the courtesy of which is acknowledged and appreciated. From said discussion and from the May 5, 2010 action, it is applicant's understanding that a replacement Listing of Claims is required, and that applicant should not re-submit the entire previously filed Response dated April 13, 2010. In view of the above amendments reconsideration and favorable action is earnestly requested.

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB

Attorneys for Applicant

By 

J. David Dainow

Reg. No. 22,959

666 Third Avenue

New York, NY 10017-5621

Tel: 212-949-9022

email: jdainow@lawabel.com